

# HOUSE BILL REPORT

## SB 6121

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**As Passed House:**  
April 25, 2009

**Title:** An act relating to the surcharge to fund biotoxin testing and monitoring.

**Brief Description:** Regarding the surcharge to fund biotoxin testing and monitoring.

**Sponsors:** Senators Tom, Zarelli and Keiser; by request of Department of Health.

**Brief History:**

**Committee Activity:**

Ways & Means: 4/25/09 [DP].

**Floor Activity**

Passed House: 4/25/09, 95-0.

**Brief Summary of Bill**

- Creates the Biotoxin Account to fund biotoxin testing and monitoring at the Department of Health and the Olympic Region Harmful Algal Bloom Monitoring Program at the University of Washington.

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### HOUSE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass. Signed by 22 members: Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler, Cody, Conway, Darneille, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Pettigrew, Priest, Ross, Schmick, Seaquist and Sullivan.

**Staff:** Chris Blake (786-7392)

**Background:**

The Department of Health's (DOH) Environmental Health program conducts testing and monitoring of biotoxins in the recreational shellfish fisheries. In the event dangerous levels of toxins are detected, the DOH has authorization to close shellfish beds and beaches.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Olympic Region Harmful Algal Bloom Monitoring Program (Program) is a collaboration of government, academia, businesses, and tribes established to study harmful algal blooms on the Washington coast. The Program is based in the Olympic Natural Resources Center and administered by the University of Washington (UW).

The 2003 Legislature authorized the increase of shellfish license fees to cover the cost of shellfish testing and algal bloom monitoring through an assessment of various surcharges. Amounts collected must be deposited in the General Fund-Local Account managed by the DOH, except \$150,000 per year which is deposited into the General Fund-Local Account managed by the UW, with the amounts in excess of the annual costs being transferred to the State General Fund.

The 2005 Legislature authorized the UW's \$150,000 annual appropriation to carry over into ensuing biennia rather than lapse to the State General Fund, and it authorizes the DOH to carry forward its unspent biotoxin and monitoring funds. The DOH and the UW must provide an annual letter to the Legislature on the status of expenditures.

The Department of Fish and Wildlife is currently authorized by statute to collect the following surcharges:

- \$3 surcharge from the sale of resident and non-resident shellfish and seaweed licenses;
- \$2 surcharge on resident and non-resident adult combination licenses;
- \$2 surcharge on annual resident and non-resident razor clam licenses; and
- \$1 surcharge for the three-day razor clam license.

**Summary of Bill:**

The Biotoxin Account is created and will be administered by the DOH for the testing and monitoring of biotoxins and the Olympic Region Harmful Algal Bloom Monitoring Program. Any moneys from surcharges remaining in the General Fund-Local Account after the 2007-2009 biennium must be transferred to the Biotoxin Account.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2009.

**Staff Summary of Public Testimony:**

(In support) This bill makes the funds in the new account subject to appropriation which gives the Legislature more control over the funds.

(Opposed) None.

**Persons Testifying:** Julie Murray, Office of Financial Management.

**Persons Signed In To Testify But Not Testifying:** None.